



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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October 23, 2001

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CA-945

EMS Transmission: 10/23/01
Instruction Memorandum No. CA 2002-004
Expires: 09/30/02

To: All Employees

From: State Director

Subject: Use or Lose Annual Leave

This is to remind you that the current leave year **expires on January 12, 2002**. Employees may not carry more than 240 hours of annual leave into the new leave year. On that date, the hours exceeding 240 hours will be lost.

In accordance with 5 U.S.C. 6304 (d)(1), annual leave forfeited that is in excess of the maximum accumulation may be restored under **certain** circumstances. Leave may be restored because of **administrative error, illness or exigency of the public business**, if all criteria regarding restoration are met. Annual leave which is forfeited at the end of the leave year (except for administrative error) cannot be considered for restoration unless the leave has been scheduled in advance.

In situations where an employee may forfeit annual leave due to illness or a work-related project of emergency proportions (exigency of the public business), the leave must have been **requested and approved in writing prior to December 2, 2001**. Documentation must be on an SF-71, Application for Leave, or similar evidence. If after the leave is approved, it becomes necessary to cancel the leave, the employee may be eligible for leave restoration following the expiration of the leave year.

When an employee's annual leave must be canceled because of work demands, details of the exigency must be sent to the State Director for approval at the time that the exigency occurs. The State Director will make the determination that an exigency is of major importance and that excess annual leave cannot be used. There is no authorization to restore leave due to an employee's own determination that an exigency exists. It is the mutual responsibility of

employees and management to plan and schedule the use of annual leave throughout the year. Supervisors and employees should note that approval of an exigency requiring cancellation of scheduled annual leave does not absolve them of the need to try to reschedule the leave for use before the end of the leave year, if at all possible.

Requests may be initiated by the employee through the appropriate supervisory official and should be submitted to the Human Resource Services Branch (CA-945) after the end of the leave year. Requests should be submitted on the attached Form 4727-78, Request for Restoration of Forfeited Annual Leave. To expedite processing, documentation should include a copy of the leave request/approval document(s) for all periods of scheduled leave and a copy of the employee's Leave and Earnings Statement for the last pay period of the old leave year and the first pay period of the new leave year.

Restored annual leave must be used within two years from the end of the leave year in which the leave was restored. For example, if leave was restored in May 2000, it must be used by the end of leave year 2003 (pay period 02 of 2004).

If you have any questions please direct them to Angie Dailly in Human Resource Services at (916) 978-4476.

This memorandum supersedes IM No. CA-01-012, dated November 22, 2000.

Signed

James Wesley Abbott
Acting State Director

Authenticated

Louise Tichy
Records Management

Attachment

Attach 1 - Form 4727-78

Bureau of Land Management

REQUEST FOR RESTORATION OF FORFEITED ANNUAL LEAVE

Under the provision of 5 U.S.C. 6304, it is requested that previously scheduled leave forfeited due to exigencies of the public service or due to sickness (injury) be restored. In support of this request, the following required information is provided (complete items 1 through 5 and 7 through 9 for request due to exigencies of service; complete items 1 through 3 and 6, 8, and 9 for request due to illness).

1. Date annual leave was scheduled _____ (Attach copy of approved SF-71.)
(Leave must have been scheduled at least three pay periods before the end of the leave year.)
2. Period (from _____ to _____) and amount
(days/hours) _____ of leave that was requested as reflected by the SF-71.
3. Date leave was approved _____.
4. Date Leave was canceled _____ (attach copy of cancellation).
5. Date(s) (from _____ to _____) during which the leave was rescheduled.
6. If due to sickness (injury or disability), indicate dates and duration of sickness in an attachment. Attach copies of medical certificate (if any), sick leave approval, or a copy of the approval of disability retirement application.
7. Date exigency was approved by the Assistant Director or State/Center Director _____.
8. Actual number of hours requested for restoration _____.

(Do not submit before end of leave year.)

Signature of Employee Date

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9. The supervisor must attach an explanation of the nature of the exigency which must include the beginning and ending dates of the exigency, and efforts made to reschedule employee's leave. If due to sickness (injury) explain in an attachment the efforts to schedule leave and why it could not be accomplished.

Signature of Supervisor Date

Attachments

1. _____ 2. _____
Servicing Personnel Specialist/ Date Personnel Officer/Date
Review for Regulatory Conformance

Concur:

3. _____ Approved for _____ hours.
Assistant Director/State Director/Center Director Date
Disapproved for _____ hours.

(Submit three copies to Personnel Office)

